

REMARKS

The Office Action dated February 16, 2006 has been reviewed and carefully considered. Claims 5 and 20 are redrafted into independent form, but are not otherwise revised. Base claim 16 is accordingly canceled without prejudice, and claims formerly dependent from claim 16 are now dependent from claim 20. Claims 1-15 and 17-20 are pending, the independent claims being 1, 5, 14 and 20. Claims 1 and 14 are amended. Reconsideration of the above-identified application, as amended and in view of the following remarks, is respectfully requested.

Claims 1-3 and 7-20 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,792,577 to Kimoto.

Claim 20 recites, "... the specific information requested is electronic programming guide information."

Kimoto fails to disclose or suggest this aspect of claim 20.

The Office Action incorrectly suggests that the Kimoto created program A introduction data corresponds to "the specific information" of the present claim 20. The Kimoto CPU 31 prepares the data using a received XML document and a fetched style sheet. The fetched style sheet does not contain the created program A introduction data, and therefore does not contain the "request for specific information." Presumably, then, the XML document is in what the Office Action calls the "data packet." Regarding the "data packet," the Office Action cites to lines 21-34 of column 15 in Kimoto. Accordingly, the Office Action presumably sees the server 1 or satellite 5 as the device by which "said data packet is prepared." It is accordingly unclear in what sense Kimoto

can be regarded as disclosing or suggesting ". . . using said data packet, in preparing the specific information for transmission to said device. . ."

For at least the above reasons, Kimoto fails to anticipate the present invention as recited in claim 20.

Reconsideration and withdrawal of the rejection is respectfully requested.

Nor, due to the different structure of Kimoto, in relation to the present invention, would it have been obvious to modify Kimoto to resemble claim 20.

Claim 1, as amended, recites, ". . . sending a device format preference to said data repository in response to said connecting at a time the device is initially connected to the network. . ."

Support for the amendment of claim 1 is found at least at [0027] in the specification.

The Office Action apparently acknowledges that Kimoto fails to disclose the above-quoted aspect of claim 1 as amended, by virtue of commentary directed to claims 5 and 6.

However, the Office Action mistakenly suggests that the difference would have been obvious.

If the user knows he or she will connect a particular device, such as a printer or TV, in Kimoto, the user might download a corresponding style sheet ahead of time (col. 15, lines 53-55). Alternatively, the user might make the download at some time in the future, long after having connected the device. As a further alternative, a network could conceivably, during a periodic check at a future time, detect a new device is connected, and react in some way. There are other scenarios, as well.

The Office Action comments, in effect, on the present invention by observing that "it would make sense." This falls short of demonstrating that the modification the Office Action is proposing for Kimoto would have been obvious, in view of what is disclosed in Kimoto and/or what was generally known to those of ordinary skill in the art.

Reconsideration and withdrawal of the rejection is respectfully requested.

Claim 14, as amended, recites, ". . . sending, in response to said connecting at a time the device is initially connected to the network or, by the device connected to the network the device format preference each time said device is connected to the network, an Extensible Stylesheet Language (XSL) stylesheet request. . ."

The claim language regarding "initially connected" is discussed above.

Likewise, by the same reasoning, Kimoto fails to disclose or suggest the above-quoted claim language regarding ". . . by the device . . . each time said device is connected. . ."

Claims 4-6 stand rejected under 35 U.S.C. 103(a) as unpatentable over Kimoto.

Claim 5 recites, ". . . the device connected to the network sends the device format preference each time it is connected to the network."

Kimoto fails to disclose or suggest the above-quoted aspect of claim 5 for at least the same reasons set forth above with regard to claims 1 and 14.

The other rejected claims are deemed to be patentable over Kimoto at least due to their dependency.

However, each warrants further consideration based on its individual, additional merits.

For example, regarding claim 7, there is no device in Kimoto that sends a request for specific information for which "the device format preference" is retrieved, by the repository or by any other entity. Perhaps the Office Action sees a central processing unit (CPU) as having a preference, but the instant applicants do not see such a concept as being consistent with the understanding of one of ordinary skill in the art. Moreover, claim 13, which depends from claim 7, appears to further distinguish over the interpretation of the Office Action.


A check for \$200.00 is enclosed in payment of the fee for adding one, additional independent claim in excess of three total.

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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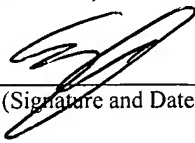
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